

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**OPTIS WIRELESS TECH., LLC, ET AL.,**

**Plaintiffs,**

**v.**

**HUAWEI TECHS. CO. LTD., ET AL.,**

**Defendants.**

**CIVIL ACTION NO.**

**2:17-cv-123-JRG-RSP**

**JURY TRIAL REQUESTED**

**DECLARATION OF RAY WARREN**

I, Raymod Warren, 7160 Dallas Parkway, Suite 250, Plano Texas 75024, submit the following declaration in the above-captioned case. I declare under penalty of perjury under the laws of the United States of America that the contents of this declaration are true and correct to the best of my knowledge, information, and belief, and are based on my personal knowledge. If called upon as a witness in this action, I could and would competently testify thereto.

1. I am Vice President at PanOptis Patent Management, LLC, where my role includes negotiating licenses for corporate patent assets. I have personal knowledge of PanOptis' dealings with Huawei.

2. PanOptis consists of a group of companies wholly-owned by Inception Holdings LLC. Each of Inception Holdings' subsidiaries owns a portfolio of patents acquired from industry-leading companies. Two subsidiaries in the PanOptis group are Optis Wireless Technology LLC and Optis Cellular Technology LLC, both of which hold portfolios of patents essential to the cellular standards which they seek to license on FRAND terms.

3. Two other PanOptis affiliates, Unwired Planet, LLC ("UP") and Unwired Planet International Limited ("UP IL"), are currently involved in litigation to set portfolio rates for standard essential patents in the U.K. against Huawei.

4. The U.K. trial court recently set a royalty rate for certain UP and UP IL essential patent families covering the GSM, UMTS, and LTE standards. The U.K. court did not adjudicate a rate for Optis Cellular, Optis Wireless, or certain other UP IL essential patents.

5. PanOptis has offered to Huawei a global license for the remaining SEP portfolio of Optis Cellular, Optis Wireless, and certain other patent families owned by UP IL, whose FRAND rates were not adjudicated by the U.K. court. PanOptis has offered Huawei a global license for its entire SEP portfolio for LTE technology that is in part based on past licensing agreements and the number of patent families in PanOptis' portfolio.

6. Huawei has previously represented that it intended to be bound by the U.K. adjudication, but Huawei has resisted applying that rate to the remainder of the PanOptis portfolio that were not adjudicated.

7. On September 1, 2017, PanOptis first received notice by mail of the two Chinese claims, the 1673 and 1674 cases, that appear to have been filed on July 6, 2017 by Huawei. Huawei has not offered PanOptis an explanation for its delay between filing of those claims and providing notice to PanOptis.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 28, 2017, in Plano, Texas.



Raymond Warren